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News Release



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For Release: June 28, 2006

FISH AND WILDLIFE SERVICE REAFFRIMS PREVIOUS DECISION NOT TO LIST FLAT-TAILED HORNED LIZARD UNDER THE ESA

The U.S. Fish and Wildlife Service announced today it will not list the flat-tailed horned lizard (*phrynosoma mcallii*) as a threatened species under the Endangered Species Act. The Service made this determination after analyzing the lizard's historical habitat and whether the amount of habitat lost constitutes a significant portion of its range.

Based on this analysis of existing studies and data concerning the species, the Service estimates the historic range of the lizard in the United States and Mexico covered approximately 4.8 million acres of permanent habitat. At the present time, approximately 3.9 million acres of habitat, or 81 percent of its range, remains for the species.

This determination was required by a November 17, 2005, ruling by the U.S. District Court for the Southern District of California, the latest in a series of legal challenges to the Service's 1997 decision to withdraw the proposed listing of the flat-tailed horned lizard under the Act.

The flat-tailed horned lizard is a small desert reptile that inhabits the arid valleys and flat lands of the western Sonoran desert. The species' range includes the Coachella Valley in Riverside County, California; the Imperial and Borrego Valleys in San Diego and Imperial counties, California; southwestern Arizona; and northeastern Baja California and northwestern Sonora, Mexico.

On November 29, 1993, the Service published a proposed rule to list the flat-tailed horned lizard as threatened, under the Act. The proposed listing was first withdrawn in 1997, based on a signed agreement to implement a Rangewide Management Strategy for conservation and management of sufficient habitat to maintain viable populations of the species throughout its geographical range.

The 1997 decision to withdraw the proposed listing was challenged in court by Defenders of Wildlife. The U.S. District Court for the Southern District of California upheld the Service's decision to withdraw the proposed rule in 1999, but the case was appealed. In a July 31, 2001,

ruling the Ninth Circuit Court of Appeals vacated the District Court's ruling, and ordered the Service to reinstate the 1993 proposed rule and make a new final listing determination for the species.

In January 2003, the Service again withdrew the proposed listing of the flat-tailed horned lizard, based on a determination that the threats to the species were not as significant as earlier believed and current available data did not indicate threats to the species and its habitat were likely to endanger the species in the foreseeable future throughout all or a significant portion of its range.

Found in portions of California, Arizona, and Mexico, the flat-tailed horned lizard has a wide, flattened body, with a short tail. It measures about 3.2 inches in length, excluding the tail, and can be distinguished from other horned lizards by a dark stripe running down its back, the presence of two slender, elongated occipital spines, and the absence of external ear openings. Flat-tailed horned lizards have pale coloration that closely matches the soils on which they live. These desert reptiles feed almost exclusively on native harvester ants, consuming about 150-200 ants per day.

Although the Service is withdrawing its proposal to list the flat-tailed horned lizard under the Act, cooperative efforts to conserve the species will continue under the multi-agency Flat-Tailed Horned Lizard Conservation Agreement and implementation of a Rangewide Management Strategy for the species. A copy of the 2003 Revised Rangewide Management Strategy is available on the Internet at http://www.fws.gov/carlsbad/FTHL_Docs.htm

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System, which encompasses 545 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 64 fishery resources offices and 81 ecological services field stations. The agency enforces Federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign and Native American Tribal governments with their conservation efforts. It also oversees the Federal Assistance program, which distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to State fish and wildlife agencies.

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